

REMARKS

This paper responds to the restriction and species election requirement set forth in the Office Action mailed on January 9, 2007.

I. Status of the Claims

Claims 1-108 are pending. Claims 18, 60, 65, 76, and 81 have been amended. Claims 18, 65 and 81 have been amended to remove the multiple dependency of the claims, and claims 60 and 76 have been amended to recite a “nonionic surface stabilizer.” Exemplary support for this amendment can be found in original claim 13 and in the specification at page 46, paragraph [00137].

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

Because the foregoing amendments do not introduce new matter, entry thereof by the Examiner is respectfully requested.

II. Restriction Requirement

The Examiner restricted the claims of the application into the following three groups:

Group I: claims 1-47, drawn to a triamcinolone composition;

Group II: claims 48-65, drawn to a method of making a triamcinolone composition; and

Group III: claims 66-108, drawn to a method of treating a subject.

In response, Applicants elect Group I, claims 1-47, drawn to a triamcinolone composition, **without traverse**. Applicants reserve the right to request rejoinder of the process claims, as detailed by the Examiner at pages 3-4 of the Office Action.

III. Species Election Requirement

The Examiner also made the following species election requirements.

A. Species Election #1

The Examiner required an election between the following drug type species: crystalline particles, semi-crystalline particles, semi-amorphous particles, amorphous particles, and a mixture thereof. Applicants elect "crystalline particles".

B. Species Election #2

The Examiner required an election between the following types of administration: oral, pulmonary, rectal, ophthalmic, colonic, parenteral, intracisternal, intravaginal, intraperitoneal, local, buccal, nasal, and topical administration. Applicants elect "topical administration."

C. Species Election #3

The Examiner required an election of a single dosage form from the following: liquid dispersions, oral suspensions, gels, aerosols, ointments, creams, controlled release formulations, fast melt formulations, lyophilized formulations, tablets, capsules, delayed release formulations, extended release formulations, pulsatile release formulations, and mixed immediate release and controlled release formulations. In response, Applicants elect "liquid dispersions."

D. Species Election #4

The Examiner required a species election of a surface stabilizer from among those listed in claims 13-17. In response, Applicants elect a "nonionic surface stabilizer."

E. Species Election #5

The Examiner required an election of a species of non-triamcinolone agents from those listed in claims 21-27. Applicants elect "anti-inflammatory agents."

Applicants make these species elections with traverse. Applicants traverse on the grounds that the search and examination of all of the species does not impose an undue burden upon the examiner. Moreover, the M.P.E.P. provides that a reasonable number of species can be searched in one application. Applicants presume that the species election is made to assist the Examiner in searching the invention, and that the Examiner will follow the procedures delineated in MPEP 809.02(c).

III. Conclusion

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

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By Michele M. Simkin

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5538
Facsimile: (202) 672-5399

Michele M. Simkin
Attorney for Applicant
Registration No. 34,717